

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

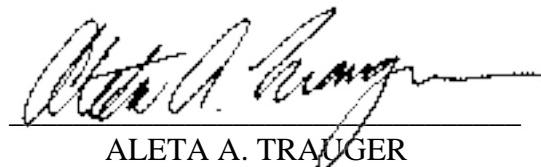
MARION TALFORD and FRANK TALFORD,      )  
    )  
    )  
Plaintiffs,                                        )  
    )  
    )  
v.    ) Civil No. 3:10-0340  
    ) Judge Trauger  
PULTE HOMES, INC.,                                )  
    )  
    )  
Defendant.                                        )

**O R D E R**

Defendant Pulte Homes, Inc. has filed a Motion to Dismiss (Docket No. 4), to which no timely response has been filed. Further, the plaintiffs have not filed a motion requesting an extension of time to respond to this motion. Therefore, this defense motion is **GRANTED**, and this case is **DISMISSED** pursuant to Rules 12(b)(4), 12(b)(5) and 12(b)(6), FED. R. CIV. P.

It is so **ORDERED**.

ENTER this 30<sup>th</sup> day of April 2010.



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ALETA A. TRAUGER  
U.S. District Judge